

# Exhibit 1

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June 1, 2020

The Hon. Stephen J. Cox, U.S. Attorney  
Eastern District of Texas  
110 North College, Suite 700  
Tyler, Texas 75702

*Via facsimile*  
903-590-1436

Re: *Edward Butowsky v. Michael Gottlieb, et al.*, Case No. 4:19-cv-00180-  
ALM-KPJ (E.D. Tex.)

Mr. Cox:

I represent Edward Butowsky in the case identified above, and I write concerning the persistently unprofessional behavior of AUSA Robert A. Wells of Tyler. Before elaborating on Mr. Wells's behavior, however, I should first give some background on my client's lawsuit.

In *Gottlieb*, my client filed defamation claims various individuals and media organizations related to the "Russian collusion" allegations against the Trump Administration. Beginning in 2017, my client publicly stated that former Democratic National Committee employee Seth Rich, rather than Russian agents, was responsible for transferring DNC emails to Wikileaks in 2016. For that, Mr. Butowsky was smeared by some of the defendants named in *Gottlieb*.

In an effort to prove that my client was telling the truth about the source of the emails, I subpoenaed the FBI for records about Seth Rich. I have enclosed a May 7, 2020 letter that I sent to then-Acting Director of National Intelligence Richard Grenell, and it outlines the extent to which the FBI has lied about its investigative activities and lied about the records in its possession.

Now, back to Mr. Wells. He was assigned to represent the FBI as an interested party in *Gottlieb*, and the FBI wanted him to fight the subpoena.<sup>1</sup> I do not fault him for representing the wishes of his client, but I do fault him for making the dispute so acrimonious. Given his tendency to make everything personal, you would think that Peter Strzok, Lisa Page, and Christopher Wray were his drinking buddies.

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<sup>1</sup> I was glad to read that FBI General Counsel Dana Boente was forced to resign last week, and I hope that will end the pattern of obstruction and cover-ups at the FBI.

I have enclosed a May 26, 2020 email exchange between Mr. Wells and me, and it is a typical example of his personal animosity. I would also direct your attention to the Federal Bureau of Investigation's Response in Opposition to Plaintiff's Motion for Hearing (Doc. No. 243) in *Gottlieb*. Aside from the needlessly rancorous tone, I doubt very seriously that the Department of Justice authorized an AUSA to take sides and argue the merits of a defamation lawsuit among private parties.

If the DOJ wants to allow an AUSA to intervene in private disputes and behave like a belligerent adolescent, then so be it. In this case, however, I do not believe that Mr. Wells and the FBI are representing the larger interests of the Department. Attorney General Barr is making a determined effort to expose the whole "Russian collusion" fraud, and that cannot be reconciled with the FBI's efforts to hide records and protect itself from further embarrassment. I asked Mr. Wells to consult with the OAG about overruling the FBI's objections to the subpoena, but I doubt very seriously that he has done so. I therefore request that you seek an order from the OAG directing the FBI to comply with the subpoena.

Finally, I have attached a new Freedom of Information Act lawsuit that I filed this morning, this time in the Eastern District of Texas. As you can see, we are requesting records from the FBI regarding Mr. Rich. My clients and I do not intend to let go of this issue, and I hope the FBI's obstruction will end sooner rather than later.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ty Clevenger', with a stylized, flowing script.

Ty Clevenger

cc: Ms. Rachel Bissex, Deputy Chief of Staff  
Office of the Attorney General  
Mr. John Moran, Deputy Chief of Staff  
Office of the Attorney General  
Mr. Brit Featherston, Executive Asst. U.S. Attorney  
Eastern District of Texas